

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

WRIT PETITION No.13360 of 2017

ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

The petitioner is the unsuccessful applicant in O.A.No.863 of 2017 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. By order 04.04.2017, the Tribunal dismissed the said O.A. The prayer of the petitioner/applicant in the O.A. was to direct the respondent authorities to consider his case for promotion to the post of Joint Director of Town and Country Planning without reference to the charge memo pending against him vide G.O.Rt.No.726, Municipal Administration & Urban Development (Vig.I) Department, dated 23.12.2016.

Sri R. Rajasekhar Rao, learned counsel for the petitioner/applicant, would place reliance upon the order dated 18.03.2016 passed by this Court in W.P.No.8690 of 2016. Perusal thereof reflects that this Court, taking note of the fact that another employee who was facing disciplinary proceedings was granted promotion, directed consideration of the case of an identically situated employee for promotion without reference to the charges framed against him.

Learned Government Pleader appearing for the State would submit that G.O.Ms.No.257, General Administration (Ser-C) Department, dated 10.06.1999, lays down the guidelines for promotion of employees facing disciplinary proceedings. She would submit that the case of the petitioner/applicant may also be directed to be considered in terms thereof.

In the light of the order passed by this Court in W.P.No.8690 of 2016, the writ petition is disposed of directing the respondent authorities

to consider the case of the petitioner/applicant for promotion in accordance with the guidelines laid down in G.O.Ms.No.257 dated 10.06.1999 as and when the departmental promotion committee is constituted. In the event the petitioner's candidature is rejected on any ground, a reasoned order shall be passed and communicated to him.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

17th April, 2017
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N. BALAYOGI, J

